

REMARKS

Claims 16 and 20 have been canceled to advance prosecution. Applicant agrees with the Examiner that the claims are substantial duplicates of claims 14 and 18, respectively, following the amendments to claims 13 and 17.

New claims 23 to 25 have been added reciting a Markush group of the lubricant based upon the disclosure at pages 6 to 8 of the specification.

The rejection of claims 13, 14, 16, 17, 21, and 22 under 35 USC 102 as anticipated by JP '129, if applied to claims 13, 14, 17, and 21 to 25, is respectfully traversed.

The Examiner explains in detail (for which the Examiner is thanked) how in her view the newly cited reference teaches each element of the instant claims. Applicant respectfully disagrees and points out that the instant claims specifically require that the coefficient of kinetic friction value is determined with respect to a flat glass plate. Such measurement is not shown in the reference nor does it teach or suggest that the lubricant is responsible for the control of the coefficient of kinetic friction. Applicant also respectfully submits that the reference does not teach or suggest the particular materials of newly added claims 23

Serial No. 09/397,034

to 25. The reference is believed not to teach or suggest controls in the context of decorative sheet manufacture that will give an abrasion-resistant product that can be readily formed, even if it has a complicated shape. Nor does the reference contain a statement that the polyorganosiloxane polymer particles serve as a lubricant to control the coefficient of friction of the (meth)acrylate polymer.

The rejection of claims 13, 14, 16, 17, 21, and 22 under 35 USC 102 as anticipated by Kim et al. '459, if applied to claims 13, 14, 17, and 21 to 25, is also respectfully traversed. As pointed out above, the instant claims call for the lubricant to be responsible for the coefficient of friction control and that the value be determined with respect to a flat glass plate. Kim et al. '459 does not teach or suggest the features of the present claims. Kim et al. '459, moreover, calls for the acrylic resin-based aqueous composition used to coat a biaxially stretched polyester film to contain polyethylene wax and inert inorganic particles; see claim 1 of the patent. Applicant points out that the limiting phrase "consisting essentially of" is in the instant claims and thus those claims exclude the necessary indicated components of the Kim et al. '459 composition. The rejection should be withdrawn.

Serial No. 09/397,034

Applicant also respectfully traverses the rejection of claims 13, 14, 16 to 18, and 20 to 22, if applied to any of claims 13, 14, 17, 18, and 21 to 25, as unpatentable under 35 USC 103 over Tatebayashi '042 in view of JP '129. The primary reference is said to teach a method for providing a desired surface hardness on the surface of a molded product and that it would have been obvious to one of ordinary skill in the art to use the materials of the secondary reference. Tatebayashi '042 is similar to the background art discussion at page 1 of the specification.

JP '129 has been discussed above; it is respectfully submitted that there is no proper reason (hindsight reasoning being improper) for a person of ordinary skill in the art to combine those teachings which, even if combined, would not teach or suggest the invention as claimed herein. The rejection should be withdrawn.

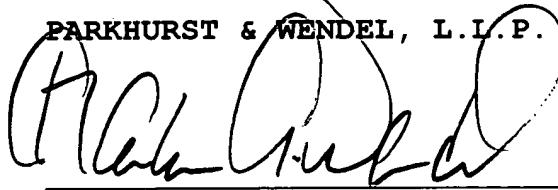
In view of the foregoing revisions and remarks, it is respectfully submitted that the case is in condition for allowance and a USPTO paper to those ends is earnestly solicited.

Serial No. 09/397,034

The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Charles A. Wendel
Registration No. 24,453

July 2, 2003
Date

CAW/ch

Attorney Docket No.: DAIN:435A

PARKHURST & WENDEL, L.L.P.
1421 Prince Street, Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220